

**United States Court of Appeals
FOR THE EIGHTH CIRCUIT**

No. 99-3087

Roger Johnson; Ronald Farmer;
Curt Brink; Christopher Trail,

Plaintiffs,

Gerald Porter,

Appellant,

Francis Kamuf; Willie Wright, and all
those prisoners similarly situated within
the Missouri Department of Corrections
or held by officers or agents of the State
of Missouri who are affected by this
litigation,

Plaintiffs,

v.

Dora B. Schriro, Superintendent;
Michael Groose; Lynda S. Taylor;
Steven E. Moore, Darin Morgan,

Appellees.

No. 99-3088

Appeals from the United States
District Court for the
Western District of Missouri.

Roger Johnson; Ronald Farmer; Curt
Brink; Christopher Trail; Gerald Porter,

[UNPUBLISHED]

	*
Plaintiffs,	*
	*
Francis Kamuf,	*
	*
Appellant,	*
	*
Willie Wright, and all those prisoners	*
similarly situated within the Missouri	*
Department of Corrections or held by	*
officers or agents of the State of	*
Missouri who are affected by this	*
litigation,	*
	*
Plaintiff,	*
	*
v.	*
	*
Dora B. Schriro, Superintendent;	*
Michael Groose; Lynda S. Taylor;	*
Steven E. Moore; Darin Morgan,	*
	*
Appellees.	*

Submitted: May 5, 2000
 Filed: May 15, 2000

Before McMILLIAN, RICHARD S. ARNOLD, and HANSEN, Circuit Judges.

PER CURIAM.

Gerald Porter and Francis Kamuf, Missouri inmates incarcerated at the Western Missouri Correctional Center (WMCC), appeal the district court's order dismissing their complaint without prejudice for failure to exhaust administrative remedies.

Appellants also move to proceed in forma pauperis (IFP) on appeal. We grant them permission to proceed IFP, leaving the fee-collection details to the district court in accordance with 28 U.S.C. § 1915(b).

Further, after careful review of the record, we affirm the judgment of the district court as to Porter, because the record reveals that he has not exhausted his administrative remedies as required by the Prison Litigation Reform Act. However, we reverse the judgment of the district court as to Kamuf, and remand so that he may proceed on the merits, because he exhausted his administrative remedies before the district court dismissed the complaint. See Williams v. Norris, 176 F.3d 1089, 1090 (8th Cir. 1999) (per curiam).

Accordingly, we grant appellants' requests to proceed IFP on appeal; and we affirm the judgment of the district court in part, reverse in part, and remand for further proceedings consistent with this opinion.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.